

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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UNITED STATES OF AMERICA,	)	DEBRA P. HACKETT, CLK U.S. DISTRICT COURT MIDDLE DISTRICT ALA
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 3:07CV32
	)	
TOM J. BOMBERGER, JR.,	)	
	)	
Defendant,	)	

MOTION FOR ORDER REQUIRING EXAMINATION  
OF JUDGMENT DEBTOR

Plaintiff, United States of America, moves the Court to issue an Order requiring the Defendant, TOM J. BOMBERGER, JR., to appear and testify at a Judgment Debtor Examination in aid of execution under Rule 69 F.R.C.P., and in support of this Motion relies upon the Affidavit annexed hereto as Exhibit A.

LEURA G. CANARY  
United States Attorney

By: 

R. RANDOLPH NEELEY  
Assistant United States Attorney  
Bar Number: 9083-E56R  
Attorney for Defendant  
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Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 3:07CV32
	)	
TOM J. BOMBERGER, JR.,	)	
	)	
Defendant,	)	

AFFIDAVIT

I, R. Randolph Neeley, having been first duly sworn, depose and say as follows:

1. I am an Assistant United States Attorney and represent the United States of America, Plaintiff, herein.
2. Judgment was entered on February 7, 2007 for Plaintiff and against Defendant for the sum of \$75,875.49, together with interest thereon from the date of Judgment, and costs.
3. Defendant, TOM J. BOMBERGER, JR., resides at 819 Cheyenne Avenue, Auburn, Alabama 36830-3223, within the jurisdiction of this Court.
4. The Judgment has not been satisfied, vacated, reversed, or barred by the Statute of Limitations, and is one on which execution may properly issue.

5. The balance due on the Judgment as of March 3, 2008, is \$88,431.03, which includes a 10 percent surcharge of \$8,039.19 as allowed under Title 28 U.S.C. §3011.

LEURA G. CANARY  
United States Attorney

By:   
\_\_\_\_\_  
R. RANDOLPH NEELEY

Assistant United States Attorney  
Bar Number: 9083-E56R  
Attorney for Defendant  
Post Office Box 197  
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Telephone No.: (334) 223-7280  
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E-mail: [rand.neeley@usdoj.gov](mailto:rand.neeley@usdoj.gov)

Sworn to and subscribed before

me this 4th day of March, 2008.

Doris A. Aldridge  
NOTARY PUBLIC

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA, )  
                              )  
                              )  
Plaintiff,                )  
                              )  
                              )  
v.                         ) CIVIL ACTION NO. 3:07CV32  
                              )  
                              )  
TOM J. BOMBERGER, JR.    )  
                              )  
                              )  
Defendant                )

ORDER FOR APPEARANCE OF JUDGMENT DEBTOR

Plaintiff, United States of America, having moved the Court for an Order requiring the Defendant, TOM J. BOMBERGER, JR., to appear and testify at a Judgment Debtor Examination, and the Court being sufficiently advised,

It is ORDERED that the Motion for Order Requiring Examination of Judgment Debtor is GRANTED.

It is ORDERED that Defendant, TOM J. BOMBERGER, JR., appear at 10:00 a.m. on the 16th day of April, 2008, Courtroom 4A, United States Federal Courthouse, One Church Street, Montgomery, Alabama 36104, to answer questions concerning Defendant's real and personal property.

It is further ORDERED that Defendant bring the following documents:

1. Copies of personal and business income tax returns for the

years 2005, 2006, and 2007.

2. Copies of all personal and business bank statements for the years 2005, 2006, and 2007.

3. Record of any safety deposit box in your name or that of your spouse.

4. Copy of title or deed of personal residence if owned by you or any member of your family. If not, a copy of proof of ownership by unrelated party.

5. Copy of title or license of automobiles, airplanes, motorcycles and boats owned or driven by you or your spouse.

DEFENDANT, TOM J. BOMBERGER, JR., IS HEREBY ADVISED THAT FAILURE TO APPEAR AT THE TIME AND LOCATION SET FORTH ABOVE MAY RESULT IN A BENCH WARRANT BEING ISSUED FOR DEFENDANT'S ARREST. A COPY OF THIS ORDER, TOGETHER WITH COPIES OF PLAINTIFF'S MOTION AND AFFIDAVIT, SHALL BE SERVED UPON DEFENDANT FORTHWITH.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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UNITED STATES MAGISTRATE JUDGE